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Attorneys for Claimant,  
KIEWIT PACIFIC COMPANY  
AND PETER KIEWIT SONS, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In the Matter of the Complaint of

CROSS LINX, INC., dba WESTAR  
MARINE SERVICES as Owner and  
Operator of the M/V PROVIDER,

Plaintiff,

For Exoneration from or Limitation of  
Liability

Case No.: C 05 2697 MJJ

STIPULATION FOR DISMISSAL  
WITHOUT PREJUDICE (FRCP 41)

PROPOSED ORDER

IT IS HEREBY STIPULATED by and between the parties, through their counsel  
of record, that pursuant to FRCP 41, Kiewit Pacific Company & Peter Kiewit Sons, Inc.'s  
claims herein for indemnity and contribution shall be *dismissed without prejudice* to their  
right to re-file said claims should they be sued herein or in any other jurisdiction for any  
causes of action arising out of the accident giving rise to this action.

Dated: May 9, 2006

COX, WOOTTON, GRIFFIN,  
HANSEN & POULOS, LLP  
Attorneys for Claimants Kiewit Pacific  
Company & Peter Kiewit Sons, Inc.

By:

Richard C. Wootton  
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STIPULATION TO DISMISS WITHOUT PREJUDICE CLAIM FOR INDEMNITY AND/OR CONTRIBUTION BY KIEWIT PACIFIC  
COMPANY & PETER KIEWIT SONS, INC.  
PER FRCP 41

Case No.: C 05 2697 MJJ

1 Dated: May 8, 2006

NEIL OLSON & ASSOCIATES  
Attorneys for Plaintiff Cross Link, Inc. aka  
Westar Marine Services

By: 

Neil Olson

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6 Dated: April 24, 2006

VERNARDI • ELAM LLP  
Attorney for Claimant-Respondents Constance  
Picchi, Roger Albert Picchi, and Andrew J.  
Surges

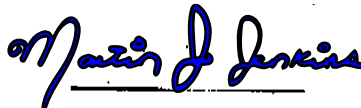
By: 

Mark T. Venardi

12 SO ORDERED

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14 Dated: 5/12/2006

Judge Martin J. Jenkins



U.S. District Court Judge

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STIPULATION TO DISMISS WITHOUT PREJUDICE CLAIM FOR INDEMNITY AND/OR CONTRIBUTION BY KIEWIT PACIFIC COMPANY & PETER KIEWIT SONS, INC. PER FRCP 41

STIPULATION TO DISMISS WITHOUT PREJUDICE CLAIM FOR INDEMNITY AND/OR CONTRIBUTION BY KIEWIT PACIFIC COMPANY & PETER KIEWIT SONS, INC. PER FRCP 41

Case No.: C 05 2687 MJ